


OCT 04 2012

JULIA C. DUNLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SYLVESTER MIDDLETON, JR.,)	
Petitioner,)	Civil Action No. 7:12-cv-00266
)	
v.)	<u>FINAL ORDER</u>
)	
WARDEN CHRISTOPHER ZYCH,)	By: Samuel G. Wilson
Respondent.)	United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Middleton's petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2241 is **DISMISSED** and this action is **STRICKEN** from the active docket of the court.

Further, finding that Johnson has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

ENTER: October 4, 2012.


UNITED STATES DISTRICT JUDGE